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DATE: May 24, 2002

NO. OF PAGES (INCLUDING THIS PAGE): 8

FOR: Ms. Vivian Hart

COMPANY: USPTO -

FAX NO.: 703-305-3579

PHONE: 703-305-3574

ORIGINAL WILL FOLLOW BY:

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FROM: Michael J. Schmidt

Please let us know by phone or fax if you do not receive any of these pages.

COMMENTS:

Application No.: 09/698,920
Filing Date: October 27, 2000
Applicant: Daryl S. Meredith et al.
Group Art Unit: 3724
Examiner: K. Peterson
Title: Guard and Control Apparatus for Sliding Compound Miter Saw
Attorney Docket: 0275A0168DVB

Dear Ms. Hart:

Attached are the documents regarding the Notice of Appeal pursuant to your request.

Michael J. Schmidt

FAX RECEIVED

MAY 24 2002

GROUP 3/00

*** NOTICE ***

The information contained in this telefax transmission is intended only for the individual to whom or entity to which it is addressed. It may also contain privileged, confidential, attorney work product or trade secret information which is protected by law. If the reader of this message is not the intended recipient, or an employee or agent responsible for delivering the message to the addressee, the reader is hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and return the original message to us at the address above via the U.S. Postal Service. We will reimburse you for any reasonable expense (including postage) for the return of the original message.

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Application No.: 09/698,920
Filing Date: October 27, 2000
Applicant: Daryl S. Meredith et al.
Group Art Unit: 3724
Examiner: K. Peterson
Title: Guard and Control Apparatus for Sliding Compound Miter Saw
Attorney Docket: 0275A0168DVB

FAX RECEIVED

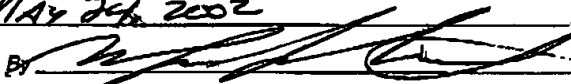
MAY 24 2002

GROUP 3700

STATEMENT

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted via facsimile to 703-305-3579 to the
United States Patent and Trademark Office - The Board Of Patent Appeals And Interferences on

MAY 24 2002
By 

Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

I have reviewed copies of the documents that were mailed to the United States Patent and Trademark Office on January 15, 2002 along with the copies of these documents that were faxed to the United States Patent and Trademark Office. These documents are a true and accurate copy of the documents that are in our prosecution file and also a true and accurate copy of the


documents forwarded to the United States Patent and Trademark Office on January 15, 2002.

These documents include:

1. A copy of our returned postcard indicating that the United States Patent and Trademark Office received these documents on January 25, 2002.
2. The Transmittal Form, including the Certificate of Mailing dated January 15, 2002.
3. The Fee Transmittal Form.
4. The Notice of Appeal (2 pages).

Should there be anything further regarding this matter, please feel free to contact me at your convenience.

Respectfully submitted,
HARNESS, DICKEY & PIERCE, P.L.C.


Mar 24, 2002
 Date

Michael J. Schmidt
 Reg. No. 34,007

P.O. Box 828
 Bloomfield Hills, MI 48303
 (248) 641-1600

Attorney Docket No. 0275A0168DVB

Applicant: Daryl S. Meredith et al.	Case No.: 0275A0168DVB
Serial No.: 09/698,920	Filing Date: October 27, 2000
Title: Guard and Control Apparatus for Sliding Compound Miter Saw	

Please acknowledge receipt of: Transmittal Form (in duplicate);
Fee Transmittal (in duplicate - charging Deposit Account); Notice
of Appeal (in triplicate); and postcard.



By stamping and returning to Harnes Dickey & Co., P.L.C.

Due: 01/15/02

Attorney: MJS

USPTO Date Stamp

Please type a plus sign (+) inside this box → ☐

HB/SB/21 based on PTO/SB/21 (08-00)

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/698,920
Filing Date	October 27, 2000
First Named Inventor	Daryl S. Meredith et al.
Group Art Unit	3724
Examiner Name	K. Peterson
Attorney Docket Number	0275AD168DVB

Total Number of Pages in This Submission 10

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal-Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): postcard
Remarks The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 08-0750. A duplicate copy of this sheet is enclosed.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Harness, Dickey & Pierce, P.L.C.	Attorney Name	Michael J. Schmidt	Reg. No.	34,007
Signature					
Date	JANUARY 15, 2002				

CERTIFICATE OF MAILING/TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on the date indicated below.

Typed or printed name	Michael J. Schmidt
Signature	
Date	JAN 15, 2002

**FEE TRANSMITTAL
for FY 2002**

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$) 320**Complete if Known**

Application Number	09/698,920
Filing Date	October 27, 2000
First Named Inventor	Daryl S. Meredith et al.
Examiner Name	K. Peterson
Group / Art Unit	3724
Attorney Docket No.	0275A0166DVB

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit Account Number
02-2546Deposit Account Name
Black & Decker Corporation

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments
☒ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1)**(\$)** 0**2. EXTRA CLAIM FEES**

Large Entity Fee Code	Small Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
101	18	203	9	Claims in excess of 20	
102	94	202	42	Independent claims in excess of 3	
104	280	204	140	Multiple dependent claims, if not paid	
109	94	209	42	** Reissue independent claims over original patent	
110	18	210	9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2)**(\$)** 0

**or number previously paid, if greater. For Reissuance, see above


FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or cash	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	820*	112	820*	Requesting publication of BIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of BIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	820	217	400	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
129	1,960	229	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	320
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	480	243	240	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	80	123	80	Processing fee under 37 CFR 1.17 (c)	
128	180	128	180	Submission of Information Disclosure Sheet	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
148	740	248	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
189	900	189	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)**(\$)** 320**SUBMITTED BY****Complete if applicable**

Name (Print/Type)	Michael J. Schmidt	Registration No. Attorney/Agent	34,007	Telephone	248-441-1600
Signature				Date	Jan 25, 2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Application No.: 09/698,920
Filing Date: October 27, 2000
Applicant: Daryl S. Meredith et al.
Group Art Unit: 3724
Examiner: K. Peterson
Title: Guard and Control Apparatus for Sliding Compound Miter Saw
Attorney Docket: 0275A0168DVB

NOTICE OF APPEAL

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class
in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231 on
January 15, 2002

By 

Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

This is an appeal to the Board of Appeals from the final rejection dated October 15, 2001,
Paper No. 10, of the Primary Examiner rejecting Claims 37-52.

A fee calculated as follows is enclosed:

Appeal Fee \$ 320

Extension Fee for two months \$ 0

FEE ENCLOSED \$ 320

☐ A check is enclosed to cover the fees as calculated above.

☒ The fees calculated above are to be charged to Deposit Account No. 02-2548 for Black & Decker Corporation. A duplicate copy of this sheet is enclosed.


If for some reason applicant has not requested a sufficient extension of time and/or has not paid a sufficient fee for this response and/or for the extension of time necessary to prevent the abandonment of this application, please consider this as a Request for an Extension for the required time period and/or an authorization to charge our Deposit Account No. 02-2548 for any fee which may be due.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Account No. 02-2548. A duplicate copy of this sheet is enclosed.

Respectfully submitted,
HARNESS, DICKEY & PIERCE, P.L.C.

APR 15, 2002
Date

P.O. Box 828
Bloomfield Hills, MI 48303
(248) 641-1600


Michael J. Schmidt
Reg. No. 34,007

Attorney Docket No. 0275A0168DVB